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ORDER IN COUNCIL.

THE NIGER NAVIGATION ORDER IN COUNCIL, 1903.

Buckingham Palace, 10*th August*, 1903.

At the Court at *Buckingham Palace*, the 10th day of *August*, 1903.

PRESENT,

The KING's Most Excellent Majesty.

Lord President.
Earl of Kintore.
Lord Balfour of Burleigh.

WHEREAS it is expedient to make provision for regulating the navigation of the River Niger and its tributaries:

Now therefore His Majesty, by virtue and in exercise of the powers by the Foreign Jurisdiction Act 1890 or otherwise in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Niger Navigation Order in Council 1903.

2. In this Order and in any regulations made under this Order, unless the context otherwise requires—

The expression "the British Niger Territory" includes the Protectorates of Northern Nigeria and Southern Nigeria as the same are respectively described and delimited by the Northern Nigeria Order in Council 1900 and the Southern Nigeria Order in Council 1900.

The expression "River Niger" shall include the River Niger and all its affluents, branches and outlets within the British Niger Territory.

"Vessel" includes any kind of ship, boat, lighter, canoe or raft, other than a public ship.

"Secretary of State" means one of His Majesty's Principal Secretaries of State.

The expression "Court of Competent Jurisdiction" means any Court empowerd under the law of Northern or Southern Nigeria (as the case may be) to impose for any offence the punishment of imprisonment for six months.

3. Subject to the provisions of this Order and of any regulations made under this Order, vessels navigating the River Niger shall in all respects be subject to the law in force in that portion of the British Niger Territory in which they may happen from time to time to be.

4. It shall be lawful for a Secretary of State from time to time to make rules for the safety and control of navigation and for the imposition and collection of taxes, duties and tolls for services rendered to navigation, and also, as occasion may require, to alter, amend or revoke all or any of such rules. All such rules and such alterations amendments and revocations thereof shall have the same force and effect for all purposes as if the same had been made by this Order and shall come into operation in such manner and on such date as shall be provided by such rules.

5. Every person who acts in contravention of this Order or of any rules made thereunder shall upon conviction be liable to a penalty not exceeding two hundred pounds or to imprisonment for a period not exceeding six months.

6. A Court of Competent Jurisdiction may order any person who is within the local limits of its jurisdiction and is charged with an offence committed in any part of the British Niger Territory against this Order or of any rule made in pursuance of the provisions thereof, to be brought before it and enquire of, hear and determine such charge as if such offence had been committed within the local limits of the jurisdiction of such Court.

7. The High Commissioners of the Protectorates of Northern and Southern Nigeria shall cause this Order to be published in the respective Gazettes of the said Protectorates on the same day and this Order shall come into operation on that date.

8. His Majesty may from time to time revoke alter or amend this Order.

A. W. FitzRoy.

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